

EXHIBIT 5

1 knew that the property owner didn't comply with the
2 state law?

3 A. Not at first, but it was made very clear that
4 the property owner failed to do what the State
5 required.

6 Q. And do you feel that the City was empowered
7 to take action if it knew that state law wasn't being
8 followed by the property owner?

9 A. My opinion is the City did everything it
10 possibly could to help the residents of the Firs with
11 their dispute with the property owner.

12 Q. Do you think the City could have denied the
13 relocation plan if they determined notice was not
14 adequate?

15 A. The City, as I recall, based its
16 recommendation on the results of the planning
17 commission. And if the planning commission okayed it,
18 the City would have had a hard time finding a
19 justification for not okaying it.

20 Q. So is it your understanding that the City was
21 not empowered to do anything to enforce compliance
22 with state law under its own state code -- or city
23 code, excuse me?

24 Do you want me to ask that again?

25 A. Yes, I think you should.

1 A. Of course.

2 Q. And would you want the city council to be
3 apprised of what was going on while this was
4 happening?

5 A. As a member of the city council at the time, I
6 had confidence that what should be done was being done
7 by the people who were supposed to do it.

8 Q. And do you hold that opinion today?

9 A. Yes.

10 Q. And do you recall hearing the King County
11 Superior Court judge found otherwise?

12 A. In what matter?

13 Q. That the City erred in approving the
14 relocation process plan?

15 MR. PLANT: I'm going to object. Assumes
16 facts not in evidence.

17 MR. DONCKERS: Sure. I'm just asking if
18 she's aware of the ruling by Judge LeRoy McCullough.

19 A. Not specifically, no.

20 BY MR. DONCKERS:

21 Q. Okay.

22 Did you ever hear about any decision that the
23 Superior Court entered on -- regarding the process?

24 A. I -- I cannot answer that. I'm not sure that
25 I was notified of anything.

1 points telling the -- Ms. Lynch what she needed to do
2 to prepare the final relocation report and plan for
3 approval, so what she needed to do for the plan to be
4 approved.

5 Are you with me at the top sentence there?

6 A. Yes.

7 Q. And then he identifies all these different
8 actions for her to take.

9 Now, from the perspective of -- of a city
10 council member, was all this information -- would you
11 expect that all this information would be based just
12 on the code? Or do you think it would come from
13 something else?

14 A. Mr. Donckers, I do not have the expertise to
15 form an opinion on that.

16 Q. Okay.

17 A. That's a matter for the city staff to know,
18 and need to have confidence in.

19 Q. Okay.

20 And at the bottom, it says: The plan should
21 be boiled down to essentials. At its current size,
22 it's intimidating and likely to overwhelm residents.

23 Do you see that?

24 A. I have seen it. It's not on the screen right
25 now.

1 CERTIFICATE

2
3 STATE OF WASHINGTON)
) ss.
4 COUNTY OF KING)
5
6

7 I, ANITA W. SELF, a Certified Shorthand
8 Reporter in and for the State of Washington, do
9 hereby certify that the foregoing transcript is true
10 and accurate to the best of my knowledge, skill and
11 ability.

12 IN WITNESS WHEREOF, I have hereunto set my hand
13 and seal this 31st day of July 2020.
14

15
16 *Anita W. Self*
17 _____

18 ANITA W. SELF, RPR, CCR #3032
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